

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CYNTHIA A. ROBINSON,

Plaintiff,

vs.

YAKIMA COUNTY SHERIFF'S
OFFICE,

Defendant.

NO. CV-07-3027-CI

ORDER STRIKING REPORT AND
RECOMMENDATION AND GRANTING
MOTION FOR EXTENSION OF TIME

By Report and Recommendation filed July 6, 2007, the court recommended Ms. Robinson's action be dismissed without prejudice as she had failed to comply with the filing fee/ *in forma pauperis* requirements of 28 U.S.C. §§ 1914 and 1915(a). Ms. Robinson submitted "Objections," and a letter which was construed as a Motion for Extension of Time to comply with the requirement she submit a six month statement of her account (Ct. Recs. 11 and 12).

In the "Objections" received July 12, 2007, and addressed to Mr. Larsen (Ct. Rec. 11), Plaintiff indicates merely that she would "like to object" to the fact the District Court Executive is trying to "dismiss [her] case" It is the court, and not the administrative agent of the court, who dismisses actions. The recommended dismissal, at this point in time, is not due to the

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1 substance of Plaintiff's complaint, but to the fact she has not
2 complied with statutory requirements to proceed *in forma pauperis* and
3 has not paid the full filing fee for this action.

4 In the documents construed as a "Motion for Extension of Time,"
5 dated July 12, 2007, Plaintiff indicates she is still trying to get a
6 certified copy of her six month statement of her trust account, but
7 her grievances are denied. She indicates she wishes to pursue this
8 action. Still, no six month statement has been forthcoming in this
9 action, although court records indicate Ms. Robinson has subsequently
10 provided at least one such statement in cause number 07-CV-3033-LRS.
11 Again, Plaintiff is responsible to provide a six month statement of
12 account for EACH civil action she wishes to file *in forma pauperis*.
13 She may wish to prioritize her actions.

14 Because Plaintiff is proceeding *pro se*, the court will grant her
15 an additional **thirty (30) days** in which to comply with the initial
16 Order to provide a six month statement of account. The decision to
17 grant an extension of time is discretionary with the court. Fed. R.
18 Civ. P. 6(b).

19 Accordingly, **IT IS ORDERED** the Report and Recommendation (Ct.
20 Rec. 10) is **STRICKEN** and the Motion for Extension of time (Ct. Rec.
21 12) is **GRANTED**. Plaintiff shall submit a certified copy of her six
22 month statement of account within **thirty (30) days** of the date of this
23 Order. Failure to do so will result in dismissal of this action
24 without prejudice and with leave to re-file a new action in which
25 Plaintiff complies with the filing fee or *in forma pauperis*
26 requirements.

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1 The District Court Executive is directed to enter this Order,
2 forward a copy to Plaintiff, and SET A CASE MANAGEMENT DEADLINE
3 ACCORDINGLY.

4 DATED August 7, 2007.

5
6 S/ CYNTHIA IMBROGNO
7 UNITED STATES MAGISTRATE JUDGE
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